

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Policy and Steering Committee on Ways and Means

BILL: CS/SB 1754

INTRODUCER: General Government Appropriations Committee and Senator Baker

SUBJECT: Certified Public Accountants

DATE: April 6, 2009 **REVISED:** _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Frederick	DeLoach	GA	Fav/CS
2.	Frederick	Kelly	WPSC	Favorable
3.				
4.				
5.				
6.				

Please see Section VIII. for Additional Information:

A. COMMITTEE SUBSTITUTE..... Statement of Substantial Changes

B. AMENDMENTS..... Technical amendments were recommended

Amendments were recommended

Significant amendments were recommended

I. Summary:

This bill eliminates the requirement for applicants and licensed certified public accountants to pass a law and rules examination as a condition of licensure renewal and reactivation of an inactive license.

The Department of Business and Professional Regulation (department) estimates that a minimum of \$133,000 will be saved by eliminating the laws and rules examination. These funds represent the annual costs paid to a vendor by the Board of Accountancy (board) for administering the examination.

This bill substantially amends the following sections of the Florida Statutes: 455.217, 473.305, 473.311, and 473.313.

II. Present Situation:

Section 473.303, F.S., creates the Board of Accountancy within the department, to regulate the practice of public accountancy. The Division of Certified Public Accounting performs for the board all services related to the enforcement of ch. 473, F.S., including, but not limited to,

recordkeeping, examination, legal and investigative services, and other services as provided in ch. 455, F.S., necessary to perform the board's duties under the chapter.

Section 473.306, F.S., sets forth the requirements for obtaining a certified public accountant (CPA) license, including examination to be licensed as a CPA. A person must apply to the department and pass an examination to become a certified public accountant. Licensees are required to pass an open book examination on the law and rules governing the practice of public accounting in Florida in accordance with ch. 473, F.S. Licensees are also required to complete a mandatory ethics continuing professional education course, which includes a review of the laws and rules. All courses and course providers must be approved by the board.

III. Effect of Proposed Changes:

Section 1 amends s. 455.217, F.S., to exempt persons regulated under the public accountancy law from the requirement to pass an examination related to state laws and rules related to the practice of a regulated profession.

Section 2 amends s. 473.305, F.S., to eliminate the requirement for a late filing fee for the law and rules examination.

Section 3 amends s. 473.311, F.S., to eliminate the requirement for certified public accountants to pass a law and rules examination as a condition of licensure renewal and activation of an inactive license.

Section 4 amends s. 473.313, F.S., to eliminate the requirement that a licensee pass the laws and rules examination as a condition of license reactivation.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

The bill eliminates a duplicative continuing education course requirement for licensees.

C. Government Sector Impact:

The department estimates that a minimum of \$133,000 would be saved by the Board of Accountancy by eliminating the laws and rules examination as a requirement for license renewal. These funds represent the annual cost paid by the board to a vendor for administering the laws and rules examination.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Additional Information:**A. Committee Substitute – Statement of Substantial Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by General Government Appropriations Committee on April 1, 2009:

This committee substitute eliminates a duplicative requirement for applicants and licensed certified public accountants to pass a law and rules examination as a condition of licensure renewal and reactivation of an inactive license.

The Department of Business and Professional Regulation estimates that a minimum of \$133,000 will be saved by eliminating the laws and rules examination. These funds represent the annual costs paid to a vendor by the Board of Accountancy for administering the examination.

B. Amendments:

None.